

## LABOUR DEPARTMENT

The 9th September, 1995

No. 14/13/876-Lab./136.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal-cum-Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Steel Crafts, Panipat *versus* Shri Ram Chander.

IN THE COURT OF SHRI P.L. KHANDUJA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ROHTAK

Reference No. 563 of 1992

*Between*

SHRI RAM CHANDER, C/O SHRI KARAN SINGH, BHARTIYA MAZDOOR SANGH, PANIPAT  
Workman

*and*

THE MANAGEMENT OF M/S STEEL CRAFTS, G.T. ROAD, PANIPAT

*Present :*

Shri Ajay Singh, Authorised Representative for the workman.  
None for the management (*ex parte*).

## AWARD

In exercise of powers conferred by Sub Clause (c) of Sub Section (1) of Section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana has referred the following dispute, between the parties, named above, to this Court for adjudication, *vide* Labour Department Notification No. 3/25/90-3Lab., dated 29th October, 1991 : —

Whether the termination of services of Shri Ram Chander is justified and in order ? If not, to what relief he is entitled ?

2. On summoning the workman appeared and filed claim statement that he was retrenched on 14th March, 1991 by notice dated 19th April, 1991 which is wrong and illegal and not according to law, no notice, notice pay and retrenchment and compensation was paid to the workman and hence this reference petition was made.

3. The management served but did not appear and was proceeded against *ex parte*.

4. In *ex parte* evidence the workman come into witness-box as WW-1 and made the statement. It is proved that the workman was retrenched not according to the provisions laid down in Section 25-F of the I.D. Act, thus I held that the management had illegally retrenched and set aside the order dated 19th April, 1991.

5. From the evidence of the workman it is proved the management has illegally retrenched and I set aside the order and hold that the workman is entitled to be reinstated with continuity of service, but 10 per cent back wages. The reference is answered and returned accordingly, with no orders as to costs.

P. L. KHANDUJA,

Dated : 5th April, 1994.

Presiding Officer,  
Industrial Tribunal/Labour Court,  
Rohtak.

Endorsement No. 1085, dated 23rd April, 1994.

A copy is forwarded to the following :—

- (1) Labour Commissioner Haryana, Chandigarh.
- (2) Labour Officer, Panipat.

P. L. KHANDUJA

Presiding Officer,  
Industrial Tribunal/Labour Court,  
Rohtak.